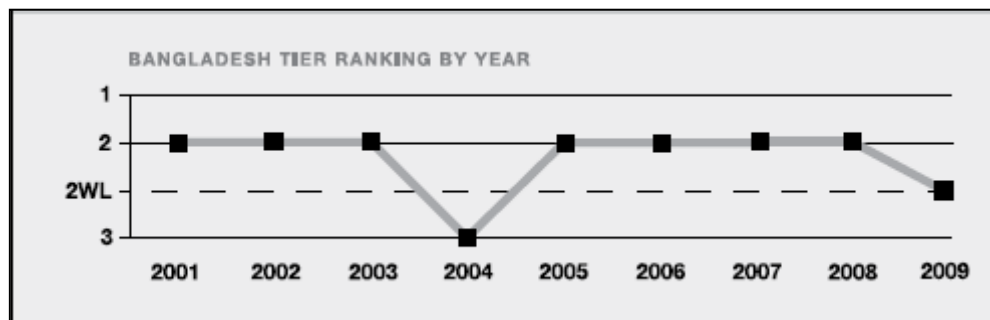


BANGLADESH (Tier 2 Watch List)

Bangladesh is a source and transit country for men, women, and children trafficked for the purposes of forced labor and commercial sexual exploitation. A significant share of Bangladesh's trafficking victims are men recruited for work overseas with fraudulent employment offers who are subsequently exploited under conditions of forced labor or debt bondage. Children – both boys and girls – are trafficked within Bangladesh for commercial sexual exploitation, bonded labor, and forced labor. Some children are sold into bondage by their parents, while others are induced into labor or commercial sexual exploitation through fraud and physical coercion. Women and children from Bangladesh are also trafficked to India and Pakistan for sexual exploitation.



Bangladeshi men and women migrate willingly to Saudi Arabia, Bahrain, Kuwait, the United Arab Emirates (UAE), Qatar, Iraq, Lebanon, and Malaysia for work, usually under legal and contractual terms. Most Bangladeshis seeking overseas employment through legal channels rely on the 700 recruiting agencies belonging to the Bangladesh Association of International Recruiting Agencies (BAIRA) which are legally permitted to charge workers up to \$1,235 – and often charge more unlawfully – for placing workers in low-skilled jobs that usually pay between \$100 and \$150 per month. Such fees have been reported by the ILO to contribute to the placement of some of these workers in debt bondage or forced labor once overseas. NGOs report that many Bangladeshi migrant laborers are victims of recruitment fraud, including fraudulent representation of the terms of employment; such victimization often results in situations of labor trafficking. Women typically work as domestic servants; some find themselves in situations of forced labor or debt bondage when faced with restrictions on their movements, non-payment of wages, threats, and physical or sexual abuse. Some Bangladeshi women working abroad are subsequently trafficked into commercial sexual exploitation. Bangladeshi adults are also trafficked internally for commercial sexual exploitation, domestic servitude, and bonded labor. Bangladesh does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant efforts, including some progress in addressing sex trafficking, the government did not demonstrate sufficient progress in criminally prosecuting and convicting labor trafficking offenders, particularly those responsible for the recruitment of Bangladeshi workers for the purpose of labor trafficking; therefore, Bangladesh is placed on Tier 2 Watch List. The practice of allowing labor recruiters to charge outbound migrants up to \$1,235, the equivalent of ten months' salary in some Gulf state destinations, may contribute to forced labor and debt bondage, as the ILO has concluded that such high recruitment costs increase workers' vulnerability to forced labor.

Recommendations for Bangladesh: Integrate antilabor trafficking objectives into national anti-trafficking policies and programs; significantly increase criminal prosecutions and punishments for all forms of labor trafficking, including those involving fraudulent labor recruitment and forced child labor; continue to investigate and prosecute government officials who may be suspected of complicity in trafficking; greatly improve oversight of Bangladesh's 700 international recruiting agencies to ensure they are not promoting practices that contribute to labor trafficking; and provide protection services for adult male trafficking victims and victims of forced labor.

Prosecution

The Government of Bangladesh made inadequate overall anti-trafficking law enforcement efforts over the last year. Bangladesh prohibits the trafficking of women and children for the purpose of commercial sexual exploitation or involuntary servitude under the Repression of Women and Children Act of 2000 (amended in 2003), and prohibits the selling and buying of a child under the age of 18 for prostitution in Articles 372 and 373 of its penal code. Prescribed penalties under these sex trafficking statutes range from 10 years' imprisonment to the death sentence; the most common sentence imposed on convicted sex traffickers is life imprisonment. These penalties are very stringent and commensurate with those prescribed for other grave crimes, such as rape. Article 374 of Bangladesh's penal code prohibits forced labor, but the prescribed penalties of imprisonment for up to one year or a fine are not sufficiently stringent to deter the offense. During the reporting period, the government obtained the convictions of 37 sex trafficking offenders, with 26 of them sentenced to life imprisonment and 11 to lesser prison terms. This is an increase from the 20 convictions obtained in 2007. It also initiated 134 sex trafficking investigations and prosecuted 90 suspected sex trafficking cases. The Bangladeshi judicial system's handling of sex trafficking cases continued to be plagued by a large backlog and delays caused by procedural loopholes. Most sex trafficking cases are prosecuted by the 42 special courts for the prosecution of crimes of violence against women and children spread throughout 32 districts of the country, which are generally more efficient than regular trial courts. During the reporting period, the Bureau of Manpower Employment and Training (BMET) reportedly shut down nine recruiting agencies, cancelled the licenses of 25 agencies, suspended seven agencies, fined six others, and initiated three new cases for their involvement in fraudulent recruitment practices that potentially facilitated human trafficking. Despite these administrative actions taken against labor recruitment agencies involved in fraudulent recruitment and possible human trafficking, the government did not report any criminal prosecutions or convictions for labor trafficking offenses. There were no reported prosecutions or convictions for forced child labor offenses. In mid-2008, the government created a 12-member police anti-trafficking investigative unit that complements an existing police anti-trafficking monitoring cell. The country's National Police Academy provided anti-trafficking training to 2,827 police officers during the year.

Protection

The Government of Bangladesh made limited efforts, within the scope of its resources, to protect victims of trafficking over the last year. While the government did not provide shelter or other services dedicated to trafficking victims, it continued to run six homes for women and child victims of violence, including trafficking, as well as a "one-stop crisis center" for women and children in the Dhaka general hospital. During the last year, Bangladeshi law enforcement officials identified 251 trafficking victims – believed to be victims of trafficking for commercial

sexual exploitation – and referred 204 trafficking victims to care facilities run by the government or NGOs. The Ministry of Expatriate Welfare and Overseas Employments continued to operate shelters for female Bangladeshi victims of trafficking and exploitation in Riyadh, Jeddah, Abu Dhabi, and Dubai. The Ministry of Foreign Affairs produced and disseminated among Bangladeshi diplomatic missions abroad a new circular entitled “Guidelines for Bangladesh Missions Abroad to Combat Trafficking in Persons.” Law enforcement personnel encouraged victims of trafficking, when identified, to participate in investigations and prosecutions of their traffickers and generally did not penalize victims for unlawful acts committed as a direct result of their being trafficked. The government’s lack of efforts to protect victims of forced labor – who constitute a large share of victims in the country – as well as adult male victims of trafficking is a continuing concern.

Prevention

The Bangladeshi government made modest efforts to prevent human trafficking over the reporting period. The government’s inter-ministerial committee on human trafficking, chaired by the Home Minister, continued to meet monthly, though its work was largely confined to addressing sex trafficking. Throughout the year, the government disseminated anti-trafficking messages in various forms, including public service announcements, dramas, public discussions, and songs, on the government-run television channel and radio network. The government failed, however, to take measures to prevent fraudulent recruitment that could lead to debt bondage. The government has allowed BAIRA to set fees, license individual agencies, and certify workers for overseas labor, while not exercising adequate oversight over this consortium of labor recruiters to ensure that their practices do not facilitate debt bondage of foreign workers. During the year, the government did not demonstrate measures to reduce the demand for forced labor or for commercial sex acts. The Bangladeshi government provided anti-trafficking training to its troops being deployed for peacekeeping missions abroad. Bangladesh has not ratified the 2000 UN TIP Protocol.